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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING**

THE UNITED STATES OF AMERICA,

Plaintiff,

vs.

CODY DONOVAN SMITH,

Defendant.

Case No. 1:20-cr-45-NDF

**DEFENDANT CODY SMITH'S EXPERT DESIGNATION**

COMES NOW Defendant Cody Smith and, pursuant to the Court's *Case Management Order* issued April 29, 2020, and Federal Rule of Criminal Procedure 16(b)(1)(C), makes this *Expert Designation*.

1. H. Scott Tucker, Aptegra Consulting LLC.

Mr. Tucker will testify regarding his training and education in cell phone forensics, including the use of call detail records, location data (GPS) and cell towers to show the location and time of calls, SMS, iMessage and photos. His testimony uses cell phone records produced by the government that relate to the alleged offense. He will testify regarding the approximate location of the relevant cell phones based on the records produced, the cell towers and GPS location data. He will also testify as to the limitations of the Cellebrite extraction. He may testify as to the data collected by apps such as the iPhone camera, Tinder, iMessage, Snapchat, Life

360, Safari and any limitations of the data or the app. He may testify as to the phone camera and metadata associated with any photos. He may testify as to how the iPhone and IOS store images and files. He may testify as to whether data is stored in an app's cloud servers or stored locally on the phone. He may also rebut any claims made by the government's forensic experts.

Mr. Tucker's qualifications are attached hereto.

Dated April 19, 2021.

s/ Alex Freeburg  
Alex. F. Freeburg, Bar No. 7-5182  
Freeburg Law, LLC  
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### **CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing was sent to:

United States Attorney's Office  
P.O. Box 22211  
100 East B Street, Suite 2211  
Casper, WY 82601

☐ hand delivery  
☐ U.S. mail  
☐ email  
☒ CM-ECF

Dated April 19, 2021.

s/ Alex Freeburg  
Signed